

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6092

BILL NUMBER: HB 1143

NOTE PREPARED: Nov 5, 2003

BILL AMENDED:

SUBJECT: Suspension of Vehicle Registration and Plates.

FIRST AUTHOR: Rep. Burton

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X GENERAL
X DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill: (1) requires the Bureau of Motor Vehicles (BMV) to maintain as part of a person's record a list of any suspensions or revocations of the registration or license plate of a motor vehicle owned by the person; (2) requires a court to order suspension of the registration and license plate of a vehicle owned by or registered to a person who is convicted of operating a vehicle while intoxicated under certain circumstances; (3) allows a person who had a registration and license plate suspended to receive a reinstatement license plate that contains a unique series of letters and numbers that may be identified by a law enforcement officer; and (4) sets a fee for the reinstatement of a vehicle registration.

Effective Date: July 1, 2004.

Explanation of State Expenditures: This bill will require start-up costs for the BMV estimated at \$36,110. These costs consist of computer changes for the new license plate estimated at \$32,584; computer changes for restricted issuance of the plate estimated at \$600; and the plate design estimated at \$2,926. The fund affected is the Motor Vehicle Highway Account which supports the BMV. These costs can be absorbed within their current budget. The proposal allows the BMV to adopt rules to implement the proposal. Annual on-going costs are estimated at \$4,209 and consist of new plates, ordering, and distribution costs.

Explanation of State Revenues: This bill provides for a reinstatement fee of \$10. The amount of revenue that may be generated from this fee is unknown and will depend upon the number of violations and reinstatements. The fund affected is the Motor Vehicle Highway Account which supports the BMV.

Penalty Provision: The bill also provides for a Class C misdemeanor. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class C misdemeanor is \$500. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and

collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

Explanation of Local Expenditures: *Penalty Provision:* A Class C misdemeanor is punishable by up to 60 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: *Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Bureau of Motor Vehicles.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

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